

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

I-KIEM SMITH, :
Plaintiff, :
v. : Civil Action No. 3:13-CV-771
NICK WILSON, : (Judge Kosik)
Defendant. :
-----:

FILED
SCRANTON
SEP 15 2014
PER [initials]
DEPUTY CLERK

ORDER

AND NOW, THIS 15 DAY OF SEPTEMBER, 2014, IT IS HEREBY ORDERED

THAT:

- [1] The Report and Recommendation of Magistrate Judge Martin C. Carlson dated June 26, 2014 (Doc. 52), is adopted in part and declined in part;
- [2] Plaintiff's Motion for Summary Judgment (Doc. 27) is **DENIED**;
- [3] Defendant's Cross Motion for Summary Judgment (Doc. 32) is **DENIED**; and
- [4] Pretrial statements shall be filed within 30 days, in accordance with attached Appendix A, after which we will determine if a pretrial conference is necessary.


Edwin M. Kosik
United States District Judge

APPENDIX A

PRETRIAL MEMORANDUM FORMAT

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

:
:
v. : CIVIL ACTION NO.
:
:

PRETRIAL MEMORANDUM

- A. A summary statement of facts and contentions as to liability.
- B. A brief description of damages, including, where applicable:
 - (1) Principal injuries sustained:
 - (2) Hospitalization and convalescence:
 - (3) Present disability:
 - (4) Special monetary damages, loss of past earnings, medical expenses, property damages, etc.:
 - (5) Estimated value of pain and suffering, etc.:
 - (6) Special damage claims:
- C. Names and addresses of witnesses.
- D. Summary of testimony of each witness.
- E. Specialities and qualifications of experts to be called.
- F. Stipulations desired.
- G. Estimated number of trial days.
- H. Any other matter pertinent to the case to be tried.

I. Pursuant to Local Rule 16.3, append to this Memorandum a prenumbered schedule of exhibits, with brief identification of each, on the clerk's Exhibit Form.

J. In all trials without a jury, requests for findings of both fact and law shall be submitted with this Memorandum as required under Local Rule 48.2.